

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 3, 5, 6 and 7 have been amended. Claims 2-7 remain pending in the present application, of which claims 5-7 are independent.

Noted - Priority Document Received By USPTO

The indication (see Office Action Summary, box 12.a.1) that the certified copy(ies) of the priority document(s) has been received by the USPTO is noted with appreciation.

Noted - IDS Considered

The indication (see Examiner-initialed PTO form 1449 mailed with Office Action dated December 29, 2008) that the Information Disclosure Statement (IDS) as filed on May 27, 2004, May 4, 2005 and March 30, 2007 and references listed therein have been considered is noted with appreciation.

Claim Rejection Under 35 U.S.C. §112, second paragraph

Claims 2-7 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3, 5-7 are amended to clarify the subject matter in response to the Examiner's assertion in the outstanding Office Action. Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In light of the foregoing, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the allowability of the

above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 19-3935

Respectfully submitted,

Date: 10/20/9

/J. Randall Beckers/
J. Randall Beckers
Reg. No. 30,358

Staas & Halsey LLP
1201 New York Avenue, NW
Suite 700
Washington, DC 20005
Phone: (202)434-1501
Fax: (202) 434-1501